

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kiaʻāina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

ADVANCE COPY

Committee Meeting Held
October 20, 2022

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, which considered Resolution 22-53 entitled:

“RESOLUTION ESTABLISHING AN ADVISORY COMMITTEE TO ASSIST AND ADVISE THE CITY COUNCIL ON PROPOSED CITY LEGISLATION TO STREAMLINE AND IMPROVE THE PROCEDURES BY WHICH THE DEPARTMENT OF PLANNING AND PERMITTING REVIEWS AND ISSUES BUILDING PERMITS,”

introduced on March 15, 2022, reports as follows:

The purpose of the Resolution is to establish an advisory committee consisting of five members appointed by the Chair of the City Council, to consult and collaborate with public and private stakeholders, including the City Administration, and advise and assist the Council on proposed legislation that would address the streamlining and improvement of the procedures by which the Department of Planning and Permitting ("DPP") reviews and issues building permits.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 287

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Brandon J.C. Elefante, Chair; Esther Kiaʻāina, Vice-Chair;
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The Deputy Managing Director commented that the Acting DPP Director is working on improving communications, within and outside of the DPP, and is putting together a task force with many of the same stakeholders. He further noted that the coordination of all efforts to address the streamlining and improvement of the procedures by which the DPP reviews and issues building permits will be important and needs to be complimentary.

Your Committee received no public testimony on the Resolution.

Your Committee prepared a CD1 version of the Resolution that makes the following amendments:

- A. Amends the BE IT RESOLVED clause to specify that the five advisory committee members will be appointed by the Chair of City Council, in consultation with the Director of Planning and Permitting.
- B. Amends the third BE IT FURTHER RESOLVED clause to specify that the advisory committee shall submit its report and recommendations to the Council within six months of the adoption of the resolution.
- C. Makes miscellaneous technical and nonsubstantive amendments.

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Your Committee on Zoning and Planning is in accord with the intent and purpose of Resolution 22-53, as amended herein, and recommends its adoption in the form attached hereto as Resolution 22-53, CD1. (Ayes: Cordero, Elefante, Kiaʻāina, Say – 4; Noes: None.)

Respectfully submitted,



Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 287



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADVANCE COPY

No. 22-53, CD1

RESOLUTION

ESTABLISHING AN ADVISORY COMMITTEE TO ASSIST AND ADVISE THE CITY COUNCIL ON PROPOSED CITY LEGISLATION TO STREAMLINE AND IMPROVE THE PROCEDURES BY WHICH THE DEPARTMENT OF PLANNING AND PERMITTING REVIEWS AND ISSUES BUILDING PERMITS.

WHEREAS, the City's Department of Planning and Permitting ("DPP") processes and issues more than 50 different types of building-related permits for new construction in the City and County of Honolulu ("City") as well as for additions, alterations, and repairs to different types of structures; and

WHEREAS, the building permit function has a significant impact on economic activity in the City, and the building permits that the DPP issued during the 2021 calendar year had a total accepted value of \$2,591,774,457.96; and

WHEREAS, the DPP requires an applicant for a building permit to:

1. Submit and complete an application that includes building plans;
2. Pass an initial prescreening and pay plan review fees;
3. Route and obtain reviews from other designated government agencies that return the plans and their external reviews to the DPP for final approval;
4. Pay the appropriate permit fees; and
5. Pick up the approved permit; and

WHEREAS, applicants may submit their building plans to the DPP for review through paper plans, which are reviewed manually, or via electronic ePlans, which are submitted online; and

WHEREAS, the DPP's Administrative Rules establish an optional third-party review process in which applicants may, at their own expense, obtain a review of building permit submissions by a DPP-approved third-party reviewer, and the applicant and reviewer may submit to the DPP written verification of compliance with development code requirements; and



RESOLUTION

WHEREAS, in 2020, the City Council ("Council") enacted Ordinance 20-29, which increased the threshold cost of repair work requiring a building permit from \$1,000 to \$5,000 and exempted certain work from requiring a building (or related) permit; and

WHEREAS, although the DPP's average commercial permit issuance time for Fiscal Year 2020 decreased by 20 percent from the preceding fiscal year, or from 261 to 208 days (from eight to seven months), its average residential permit issuance time for the same period remained at approximately four months; and

WHEREAS, additionally, the Office of the City Auditor noted in Report No. 20-01 (January 2020) that it takes the DPP an average of 135 days to issue a building permit and that the standard public complaint about the DPP's building permit process is that "the review time takes too long"; and

WHEREAS, recent media reports have also indicated that the DPP continues to have a backlog of building permit applications, which, at least for residential building permits, has caused thousands of City residents to wait months to build an addition, construct a new house, or simply make certain modifications to their existing homes; and

WHEREAS, the Council believes that despite its efforts to legislatively address the DPP's backlog of building permits, more could be done, and that valuable input and insight can be obtained from a collaborative discussion with public and private stakeholders to further address, through legislation, the streamlining and improvement of the DPP's building permit review and issuance processes so that building permits can be issued in a timely and efficient manner; and

WHEREAS, under Council Rule 9A, the Council may, by adoption of a resolution, create advisory committees to assist the Council in the resolution or study of issues; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it establishes an advisory committee consisting of five members appointed by the Chair of the City Council, in consultation with the Director of Planning and Permitting, to consult and collaborate with public and private stakeholders, including the City Administration, and advise and assist the Council on proposed legislation that would address the streamlining and improvement of the procedures by which the Department of Planning and Permitting reviews and issues building permits; and



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HONOLULU, HAWAII

No. 22-53, CD1

RESOLUTION

BE IT FURTHER RESOLVED that the five-member advisory committee be composed of persons knowledgeable about building permit processes, including but not limited to housing providers and advocates, developers, development consultants, licensed contractors, labor representatives, and formally or informally organized groups with expertise in housing; and

BE IT FURTHER RESOLVED that the full advisory committee shall conduct its meetings and deliberations in compliance with the Sunshine Law, Part 1 of Chapter 92 of the Hawaii Revised Statutes ("HRS"), and that any subcommittee of the advisory committee shall be created as a permitted interaction group of the advisory committee pursuant to HRS Section 92-2.5(b)(1); and

BE IT FURTHER RESOLVED that the advisory committee shall submit its report and recommendations to the Council within six months of the adoption of this resolution; and

BE IT FINALLY RESOLVED that copies of this resolution be sent to the Mayor, the Managing Director, the Acting Director of Planning and Permitting, and the Chair of the City Council.

INTRODUCED BY:

Tommy Waters

DATE OF INTRODUCTION:

March 15, 2022
Honolulu, Hawai'i

Councilmembers